

QUESTIONS AND ANSWERS ON NEW REGULATIONS

School-Age-Only Centers (391 NAC Chapter 4)

General Questions

1. How will Licensees/Directors get answers to their questions?

Anyone involved in the operation of a School-Age-Only Center can call or e-mail any staff in the Child Care Licensing Program with a question about regulations. A “Questions and Answers” for each type of license is on the Child Care Licensing Web Page (http://dhhs.ne.gov/publichealth/Pages/crl_childcare_childcareindex.aspx) and updated with new questions from time to time.

Information about the “Questions and Answers” will be shared with the Early Childhood Professional Development Coordinators for inclusion in their newsletters.

The Child Care Licensing Program will also establish an on-line method for licensees/directors to ask additional questions.

2. How will Licensees/Directors know when new forms are available?

When the “Questions and Answers” are posted on the Child Care Licensing Web Site, we will make sure all new forms are also posted.

Scope and Authority (4-001, pages 1 - 2)

1. Can Child Care Centers that only serve children who are age five and older still apply for a School-Age-Only Center license?

Child Care Centers that serve only children who attend or have attended Kindergarten and older can submit a brief application to change their license to a School-Age-Only Center. Child Care Centers that serve children younger than those “attending Kindergarten” cannot be licensed as a SAOC.

Director Qualifications (4-006.04, page 23)

1. I am in the process of hiring an After-School Program Director and I have a questions about qualifications. I read them online for School-Age only and it does not say anywhere about that the Director can have a written plan to acquire credits or clock hours.

There is no provision in the School-Age-Only Center regulation for the director to meet qualification using a plan to acquire clock hours of training or credit hours of education.

2. The person I want to hire does not meet the qualifications but is willing to meet them. Can she have a written plan or does she have to have the qualifications before she is hired?

The person you want to hire to be the Director must meet the qualifications before she is hired.

3. The person I want to hire as the Director attended a couple college seminar trainings related to early childhood almost 20 years ago. Could this e training still count towards pre-service hours?

If the person wants to use this training to meet Director Qualifications she must submit documentation of this college level early childhood seminars through a certificate or transcripts.

Substitute, Support Staff, Volunteer, and Parent Helper Qualifications (4-006.06, pages 24 – 25)

1. Several after school programs have people come in and do “presentations” or “educational” programs with the children while the School-Age-Only Center staff are present and supervising the children. Do the people that come in to do these programs have to have any background checks? These people may come in once a year, they do not come on a regular basis.

Individuals who conduct “presentations” or “education programs” to children, who are not left alone with children and are not supervising children do not need background checks. Individuals who are certificated teachers and work in the school district where the SAOC is located qualify as a “teacher” without meeting any SAOC requirements including background checks.

2. The definition of “Support Staff” states: “an individual employed by the center as a food service, clerical, custodial, or transportation staff”. In the regulations (SAOC 4-006.06 #2) it states: The director may hire “support staff” to assist in the care of children... Which is correct?

There are two applicable definitions:

Staff means an individual who provides direct care to the children attending the child care center, including the licensee, director, teacher, aide, and any other individual who counts in the staff-to-child ratio.

Support staff means an individual employed by the center as a food service, clerical, custodial, or transportation staff.

It was intended that the term “support staff” be inclusive of all positions in a Child Care Center except for Licensee, Director or Teacher, to include direct care staff AND food service, clerical, custodial and transportation staff.

One of the Director Requirements in 4-006.02 is #4:

4. Provide written personnel policies and policies and procedures specific to:
 - a. Job descriptions and responsibilities; and
 - b. Position qualifications, skills, knowledge, abilities and physical demands of the job;

It is up to the School-Age-Only Center to determine job titles and job descriptions and for each job title, identify the responsibilities, qualifications, skills, knowledge, abilities, and physical demands of the job.

Once hired, the documents that need to be kept in the employee’s file are listed in Employee Records Requirements (4-006.10).

Nutrition and Food Safety Training (4-006.09B, page 26)

1. When School-Age-Only Centers **only** serve snacks, are any staff required to complete the four hours of food/nutrition training?

If the School-Age-Only Center does not serve MEALS they are not required to obtain “Nutrition and Food Safety Training”. Here is the regulation for SAOC:

4-006.09B Nutrition and Food Safety Training: When meals are served, all staff responsible for menu planning, food preparation, and food safety must be provided at least four clock hours of training in nutrition and food safety within 30 days of employment and annually thereafter.

Parent Information Brochures (4-006.12, page 29)

1. When Parent Information Brochures are printed, how will they be distributed to School-Age-Only Centers? When School-Age-Only Centers get copies of the brochure, should they provide to all parents and get receipts?

Parent Brochures are being sent to all licensed programs from Central Office in Lincoln. Each currently licensed program will get three (3) times their license capacity of brochures. Newly licensed programs will receive three times their license capacity of brochures with their Provisional License.

School-Age-Only Centers then need to distribute the Brochures to parents of children who are enrolled in the center and retain the receipt with the name and date the parent received the brochure in the child(ren)'s file. One brochure is required for each family of children that are enrolled in the Center.

2. Can a School-Age-Only Center substitute their own "parent handbook" or other written description, if all the elements in the Department's Parent Information Brochure are included?

Yes, a School-Age-Only Center can substitute their own document as long as all the elements in the Department's parent Information Brochure are included.

3. If a School operates a School-Age Only Centers and wants to provide Parent Handbooks on-line, can the School-Age-Only Center give their parents the information contained in the Parent Information Brochure on-line as long as the Center has signed receipts from parents saying they are aware that the materials can be accessed online?

Yes. Providing the information contained in the Parent Information Brochure to parents on-line is acceptable as long as the School-Age-Only Center has signed receipts from the parents of enrolled children.

4. Are Parent Information Brochures available in any language other than English?

At this time, Parent Information Brochures are only available in English.

Transportation (4-006.23, page 37)

1. The vehicle used to transport children must be properly registered and insured, and must contain a first aid kit and parent contact information for each child being transported. Does this mean that the first aid kit and parent info must also be in a bus which is contracted to provide transportation for the school-age only center?

Yes, all transportation regulations must be followed whether the School-age-Only Center provides transportation services directly or contracts with a transportation company.

2. Children must not be transported to any location without the prior knowledge of the parents....(THIS MEANS THEY NEED WRITTEN APPROVAL FOR EACH FIELD TRIP, NOT JUST A BLANKET PERMISSION TO GO ON FIELD TRIPS, YES?)

School-Age-Only Centers may use a general permission for transportation as long as parents know where their children are at all times.

3. School-age children only may be transported with no staff in addition to the driver. Does this mean that no matter how many school-agers (i.e. more than 15), that only a driver is required? In other words, does ratio have to be maintained during transportation if school-agers only are being transported?

When transporting any number of only school-age children, no staff in addition to the driver are required.

4. Would a contracted transportation service driver need the transportation training in 4-006.09C?

Yes, unless the driver received comparable training as a requirement of a Commercial Driver's License.

OTHER ITEMS OF INTEREST

1. Information on the liability insurance that will be required in the future should be posted on the Department's Children's Services Licensing website for providers to access.

Here is the link to the final language of the legislation - LB 105 – that will require licensed child care programs to obtain and maintain liability insurance on their child care program:

<http://www.nebraskalegislature.gov/FloorDocs/Current/PDF/Slip/LB105.pdf>

- **The requirement goes into effect for applicants for a child care license on July 1, 2014.**
- 5. **The requirement goes into effect for programs that are already licensed July 31, 2014. ,**

If you have additional questions or want clarification on a question and answer in this document, please send an e-mail to Pat Urzedowski at this link: pat.urzedowski@nebraska.gov